

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22166 of 2022**

Arising Out of PS. Case No.-388 Year-2021 Thana- LALGANJ District- Vaishali

Pankaj Kumar Son Of Bachcha Kumar Sharma R/O Village- Turki Sharma  
Tola, P.S.- Kudhani (Turki O.P.) In The District Of Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate.

For the Opposite Party/s : Mr.Gulnar Begum, APP.

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      20-07-2022                      The    learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

Heard learned counsel for the petitioner and the learned  
  
APP for the State.

Petitioner seeks regular bail in connection with Lalganj  
  
P.S. Case No. 388 of 2021 registered for the offence under Section  
  
392 of the Indian Penal Code.

As per FIR on the alleged date and time of occurrence  
  
three to four accused persons firstly dashed their motorcycle  
  
against the informant's vehicle due to which the informant fell  
  
down and thereafter the informant's bag containing Aadhar Card,  
  
Pan Card, some ornaments and two mobile phones etc. was  
  
snatched away by the accused persons.

The main submissions advanced by learned counsel for  
  
the petitioner are that the petitioner is not named in the FIR and his  
  
name surfaced in his self confessional statement and    he has been  
  
made accused mainly on the basis of his own statement made



before the police but he has not been put on Test Identification Parade and the looted motorcycle has been wrongly shown as being recovered from the possession of this petitioner. Further submission is that petitioner has been languishing in jail since 29.10.2021 having clean antecedent.

Learned APP appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the seizure list attached to the FIR. The present case relates to loot and as per the seizure memo attached to the FIR, the looted motorcycle is said to have been recovered from the shop of present petitioner. Considering the recovery of the looted vehicle from the possession of this petitioner, I find the petitioner's prayer to be not fit for bail. Accordingly, his bail prayer stands rejected.

Petitioner may renew his prayer after framing of charge in his case before the Court below. If he avails the said liberty then the learned Court below will decide his regular bail prayer without being prejudiced with present order according to merit.

**(Shailendra Singh, J)**

sangam/-

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